

Docket Number: T12-0100
2nd Supplemental
ROM Date: 10/26/2016
Deadline: N/A

M E M O R A N D U M

TO: The Commission

FROM: Michael E. Stead, Railroad Safety Program Administrator

DATE: October 12, 2016

SUBJECT: BNSF Railway Company, Henry County Highway Department, Galva Township Road District, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the highway-rail grade separation that carries E. 1850th Street over the BNSF Railway Company's track near Galva, Henry County, Illinois, designated as AAR/DOT #079765W, railroad milepost 141.64-LS1.

RECOMMENDATION: Enter Second Supplemental Order approving Extension of Time.

On August 15, 2012, the Commission entered its Original Order in this matter requiring, among other things, Henry County to reconstruct a bridge that carries E1850th Street over the BNSF Railway Company's tracks near Galva, Henry County, Illinois. All work was to be completed within twenty-four (24) months of the Order date.

On August 21, 2014, Henry County filed its First Supplemental Petition stating that, due to extended negotiations for an agreement with the BNSF, it was unable to complete the reconstruction of the bridge by the original completion date of August 15, 2014. The County requested an extension of time, to and including August 15, 2016, within which to complete the work required by the Original Order. On September 18, 2014, the Commission entered its First Supplemental Order, granting the Road District an extension of time, to and including August 15, 2016, to complete the required work.

On September 14, 2016, Henry County filed its Second Supplemental Petition stating that the County and BNSF have made significant progress towards reaching an agreement. However, the County was unable to complete the reconstruction of the bridge by the completion date of August 15, 2016. The County is requesting an extension of time, to and including September 18, 2018, within which to complete the work required by the Original Order.

Staff of the Rail Safety Section has reviewed the County's Petition for Supplemental Order and believes the request for additional time, to and including September 18, 2018, is reasonable and should be approved without hearing. I recommend entry of the attached Supplemental Order.

Attachment
JRS